

Code Enforcement Board Minutes August 2, 2016

The Murray Code Enforcement Board met in regular session on August 2, 2016 at 5:00 p.m. in the Council Chambers of City Hall located at 104 North 5th Street.

Board Members Present: Chairman Danny Brittain, Mitzi Key, Mike Basiak, and Marsha Dorgan

Others Present: Attorney Chip Adams, Officers Tim Fortner, Kyle Waldron, Adam Winebarger, Anna Wicker, Kenny Jenkins, Matt Davis, Kevin Langley, Elizabeth Wilson, Melissa Flood, Pamela Lambert, Brian Caldwell, Craig Thweatt, Steve Tapp, Maressa Travis and general audience.

The meeting was called to order by Chairman Danny Brittain. New member Marsha Dorgan was sworn in. Roll call attendance was taken.

Approval of July 12, 2016 minutes: Mitzi Key made a motion to approve the minutes of the July 12, 2016 meeting and Mike Basiak seconded. A voice vote was taken and the motion passed.

Public Hearing—Steve Tapp: Chairman Danny Brittain called the public hearing to order and Maressa Travis read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. All members said no. Chairman called the city representative forward. Officer Kyle Waldron was sworn in and presented the facts for this case. There were no questions. Chairman called forward Respondent Steve Tapp and he was sworn in. Mr. Tapp stated he had a city sticker for one vehicle and failed to transfer within the 30 day time limit. Mr. Tapp indicated he had a receipt in his car for the purchase of the city sticker for his vehicle. Chairman Brittain asked the hearing be suspended until Mr. Tapp could retrieve his receipt. Mitzi Key made a motion to suspend and Marsha Dorgan seconded. The hearing was suspended.

Public Hearing—Ken Kukowski: Chairman called the public hearing to order and Secretary Travis read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. All members said no. Chairman called city representative Matt Davis forward and he was sworn in. There were no questions for Officer Davis. Chairman called Ken Kukowski forward and he was sworn in. Mr. Kukowski stated he moved into his home in June and received the violation just a few days after moving in. Because he had 30 days to purchase a sticker, **Mitzi Key made a motion to dismiss. The motion was seconded by Mike Basiak. A vote was taken and it passed 4-0.**

Public Hearing—Wayne Robinson: Chairman called the public hearing to order and Maressa Travis read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. All members said no. Chairman called city representative Josh Burkeen forward and he was sworn in. There were no questions for Officer Burkeen. Mr. Robinson was not in attendance despite having proper service. **Mike Basiak made the motion to enforce the fine and seconded by Marsha Dorgan. A vote was taken and the motion passed 4-0.**

Public Hearing—Pamela Lambert: Chairman called the public hearing to order and Maressa Travis read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. All members said no.

Chairman called forward Officer Wicker and she was sworn in. Chairman Brittain called forward Pamela Lambert and she was sworn in. Ms. Lambert explained she was under the impression she did not need to purchase a city sticker since she is not yet employed in Murray. Officer Fortner came forward and was sworn in. Officer Fortner stated that he told Ms. Lambert while she was standing in line at City Hall that she would not require a city sticker until she received her business license. **A motion to dismiss was made by Mike Basiak and seconded by Mitzi Key. A vote was taken and carried 4-0.**

Public Hearing—Elizabeth Wilson: Chairman Brittain called the meeting to order and Maressa Travis read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. All members said no. Chairman called the city representative forward. Officer Anna Wicker was sworn in and presented the facts regarding the violation. There were no questions. Chairman called forward Respondent Elizabeth Wilson and she was sworn in. Ms. Wilson stated she had planned on purchasing a city sticker but the university indicated a sticker may be purchased after summer break. She worked at Cracker Barrel but she thought she didn't have to buy one until August. Marsha Dorgan made a motion to enforce but there was no second so the motion died. Chairman declared the motion dead. There was additional discussion as the hearing was open again. **Mitzi Key made a motion to dismiss all fines and penalties and Mike Basiak seconded and a vote was taken. The motion passed 3-1, with Marsha Dorgan voting no.**

Public Hearing—Brian Caldwell: Chairman Brittain called the meeting to order and Maressa Travis read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. All members said no. Chairman called city representative Officer Adam Winebarger forward and he was sworn in. Officer Winebarger stated the facts regarding the violation. Chairman called for respondent Brian Caldwell to come forward and he was sworn in. Mr. Caldwell stated he failed to transfer the after purchasing a new vehicle. **Mitzi Key made a motion to dismiss and Mike Basiak seconded. A vote was taken and the motion passed 4-0.**

Public Hearing—Patrick Davis: Chairman called the meeting to order and Secretary read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. All members said no. **Mr. Davis was not present and notice will be served for a hearing at a later date.**

Public Hearing—Melissa Flood: Chairman called the meeting to order and Secretary read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. Member Key stated she did and would not participate in this hearing. Chairman called forward the city representative, Officer Kenny Jenkins. Officer Jenkins was sworn in and stated the facts. Chairman called forward Respondent Melissa Flood and she was sworn in. Ms. Flood indicated she didn't have the money to purchase the sticker because she is a single mother. There were no questions. **Mike Basiak made a motion to enforce the fine and Marsha Dorgan seconded. A vote was taken and the motion carried 3-0 with Member Key not voting.**

Public Hearing—Craig Thweatt--Chairman Brittain called the meeting to order and Maressa Travis read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. Member Basiak said he did and would not participate. Chairman called forward Officer Keven Langley and he was sworn in. There were no questions. Chairman called forward Respondent Craig Thweatt and he was sworn in. Mr. Thweatt stated he didn't have a sticker on his car because he always drove his motorcycle, even in bad weather, or he rode with his brother. His bike was in the shop so he

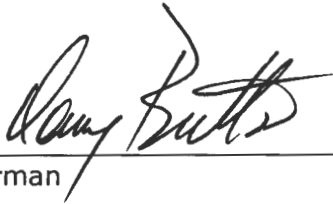
drove his car. **A motion was made by Marsha Dorgan to enforce the fine and Mitzi Key seconded. A vote was taken and the motion was passed 3-0 with Member Basiak not voting.**

Public Hearing—Charles or Tracy Hepner: Chairman called the public hearing to order and Secretary Travis read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. All members said no. Officer Tim Fortner was called forward. Officer Fortner stated the property is now compliant and he was requesting the citation be dismissed. **Mitzi Key made a motion to dismiss and Marsha Dorgan seconded. A vote was taken and the motion carried 4-0.**

Public Hearing—Khalio or Elizabeth Mandeel: Chairman called the public hearing to order and Secretary Travis read the case information. Chairman asked if any of the board members had any direct or indirect financial or personal interest in the matter. All members said no. Officer Tim Fortner was called forward. Officer Fortner stated the property is now compliant and he was requesting the citation be dismissed. **Mitzi Key made a motion to dismiss and Marsha Dorgan seconded. A vote was taken and the motion carried 4-0.**

Officer Fortner raised a question to Mr. Adams and the Board regarding a previous case involving Mr. James Hornbuckle. Mr. Hornbuckle had received an extension due to recent surgery. He was seen working on a property and Mr. Fortner wanted advice on when to bring Mr. Hornbuckle's case back to the Board at the September 13th meeting.

There were no more questions so Mitzi Key made a motion to adjourn and Marsha Dorgan seconded.



Chairman



Recording Secretary, Maressa Travis